IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1627 of 2007()

CMP.711/2007 of J.M.F.C.-II,THAMARASSERY
CRIME NO.22/2007 OF THIRUVAMBADY POLICE STATION

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PETITIONER/ACCUSED 1 TO 8

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1. SEBASTIAN.T.T., S/O.THOMAS,
   KAKKADAMPPOYL P.O., KOODERANHI, KOZHIKODE.

2. AUGUSTINE V.D., S/O.DEVASSIA,
   VALLIYIL, KAKKADAMPOYIL P.O., KOODARANHI.

3. SHINE.K. JOSEPH, S/O.JOSEPH,
   KOOVAPPARAYIL, KAKKADAMPOYIL P.O.,
   KOODARANHI.

4. SINU.C.M., S/O.MATHAI,
   CHOLLAMMAKKAL, KAKKADAMPOYIL P.O.,
   KOODARANHI.

5. MANOJ THOMAS, S/O.THOMAS,
   VALLIYIL, KAKKADAMPOYIL P.O., KODARANHI.

6. JUSTINE PHILIP, S/O.PHILIP,
   PUNNAKKAMBIL, KAKADAMPOYIL P.O.,
   KOODERANHI.

7. MANI.V.T., S/O.THOMAS,
   VALLIYIL, KAKKADAMPOYIL P.O.,
   KOODERANGHI P.O.

8. GEORGE PHILIP, S/O.PHILIP,
   PUNNAKOMBIL, KAKKADAMPOYI P.O.,
   KOODERANHI.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
   THRUVAMBADY POLICE STATION,
   KOZHIKODE RURAL.

2. STATE REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1627/2007

Dated this 20th day of March, 2007

O R D E R

The petitioners, who are accused Nos. 1 to 8 in Crime No.22/2007 of Thiruvambady Police Station for offences punishable under Sections 143, 147, 148, 302 and 120B IPC read with Section 149 IPC, seek their enlargement on bail. The occurrence took place on 12.12.2006 during which a 35 year old person by name Yohannan who is a mentally retarded person, allegedly turned violent and was attacked by the petitioners was ran away with.

2. The petitioners were arrested on 21.2.2007 and were remanded to judicial custody where they are continuing.

3. Having regard to the present stage of the investigation, the duration of judicial custody of the petitioners and the other circumstances of the case, I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-II, Thamarassery and subject to the following conditions:

(a). The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

(d). The petitioners shall not commit any offence while on bail.

4. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs